

adoption of this constitution. That is a broad power, a power to be exercised not technically but liberally; in such a manner as to ascertain the true sense of the people of the State. In point of fact and in point of law a large part of the voters of this State are in the service of the United States and out of the State. Any submission of the question to a vote, which does not take their sense of it, does not take the sense of the people of the State. It was upon that ground that I argued last winter that the legislature possessed this power. I held that even if the legislature could not give the soldier the right to vote out of the State at our State elections, that under the power given to the legislature to take the sense of the people in regard to calling a convention, which was not a strict technical power, but a power to be exercised upon broad constitutional principles, and which the legislature could not fairly exercise unless they did take the sense of the soldiers. They could authorize the soldiers to vote on that question. I never claimed that it was clear as a mere question of law to allow soldiers to vote at all elections, but I confined my bill expressly to allowing them to vote upon the call of the convention.

It has been a very grave question of doubt whether the legislature has not a right to provide for the vote of the soldiers at any election. I admit that the decision of most of the courts is against it; but no court has decided that the soldiers may not vote for or against a constitution. That is always to be taken liberally; and I hold therefore that under the constitution as it now exists we have the right in taking the sense of the people to provide for taking the sense of the soldier. I think there cannot be any misunderstanding about it. It is not a question of attempting to enfranchise unqualified persons. They are all qualified under the constitution. The only difficulty is that from their situation they cannot get their votes into the ballot-box; and this is simply a provision for the purpose of enabling qualified citizens of Maryland to vote.

Mr. SMITH, of Carroll. The objection to this report upon the part of the minority appears to be two-fold; first, to allowing the soldiers in the field to vote, and the other, to imposing an oath upon voters. In the discussion of the question before the convention a great latitude has been indulged in. We seem to have resolved ourselves into a committee for stump-speaking; and I suppose I shall not be violating precedent if I take part in that discussion. My friend from Calvert (Mr. Briscoe,) last night or this morning has cited Henry Clay as an evidence against the party now in power. He has cited his testimony against the terrible effects of the accession of that party to power, and claims that the prophecy which he uttered has been faithfully fulfilled. I am not here as an advocate

of the republican party. I do not belong to it. I have been a whig all my life; and whenever I have departed from the straight path of whiggery, it was only because I thought I could do more to aid in breaking up the worst party in the world, the democratic party. But I say the democratic party have no right to take on their tongues the words of that glorious patriot, Henry Clay. He was their victim from his first entry into public life down to the day of his death, hunted down by the whole party, and especially by that unfortunate, feeble old man in Lancaster, who is now shunned as a leprous man by every one who feels that he has a moral principle in him. I say that whatever Henry Clay may have said with regard to the abolition party who would have abolished slavery without reference to forms of law, Henry Clay has never put on record any testimony in favor of the old party called the democratic party, but he has again and again denounced it, and his whole life was one witness against it. And he said something better than the gentleman has quoted, and he sustained it by the whole course of his glorious and beautiful political life, that if the time should ever come when there should be two parties in this country, one for the Union and the other against the Union, he had no hesitation on which side he would array himself, for under the dear old flag of his country he would stand forever. [Applause, promptly suppressed by the President.] I trust there will be no demonstrations of this kind during my remarks.

If he were living to-day, he would stand just where the gallant Douglas stood when he found there were two parties, one for the Union and the other against the Union, one loyal and the other traitor.

What has this democratic party done? They say that the abolition party of this country has brought on the war. I deny it. I say now, as I said before, that it arose from the acts of the democratic party, when they arrayed themselves against this Union. I believe it as firmly as I believe in the existence of an all-wise God, that on the democratic party of this country, as it is now organized, rests the terrible and eternal responsibility of all the blood that has been spilled in this war. It is referred to an arbitrament to which I am willing to leave it. It is referred to history; and history will do them justice. What are the democratic party now doing? Clamoring for peace. At Chicago they have presented a platform and a candidate; a peace candidate with shoulder-straps and a sword by his side; a peace candidate opposed to arbitrary arrests, who arrested and imprisoned our noble legislature at Frederick; a peace candidate, unwilling to interfere with our erring sisters, anxious to bring them back, driving them to the walls of Richmond on paper, and retreating down and clinging to his gunboat.